IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 15th day of February, 2005

Bail application No. 122 of 2005

Order on Bail Application of accused

CRIMINAL SIDE

Pramod Kumar
S/o Late Shri Ved Prakash
R/o Village – Laheboli
Police Station – Manglaur
District - Haridwar .... Applicant

Versus

State of Uttaranchal ... Opposite Party

Arising out of case crime No. 132 of 2004
U/Ss 363, 366, 506 of I.P.C.
Police Station - Manglaur
District – Haridwar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 132 of 2004, U/Ss 363, 366, 506 of I.P.C., Police Station – Manglaur, District – Haridwar.

Heard Sri Rajendra Singh, learned counsel for the applicant, learned A.G.A. and perused the record.

The statement u/s 161 as well as 164 Cr.P.C. of the prosecutrix nowhere shows that she was subjected to rape at any stage by the applicant. The prosecutrix was recovered immediately after sometime of the occurrence.

The applicant is in jail since 29.05.2004 and learned A.G.A. could not show any criminal history of the applicant.

Having considering the aforesaid facts & circumstances, I think it would be just and proper to release applicant on bail at this stage.

Let the applicant, Pramod Kumar be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of J.M., Roorkee.

February 15, 2005 **(B.C. Kandpal, J.)**

Shiv